

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

OSCAR REINALDO GALAN HUEZO,
Plaintiff

v.

**DJR, INC. d/b/a ENCORE
MECHANICAL, DALE REEVES, and
TAMMI DANIELSON,**
Defendants

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Case No. 1:24-CV-00132-RP

ORDER

Plaintiff Oscar Reinaldo Galan Huezo filed his Complaint on February 6, 2024 (Dkt. 1). To date, however, there is no indication that Plaintiff has served Defendants with the complaint and summons. Plaintiff filed returns of non-service for Defendants DJR, Inc. and Dale Reeves on February 29, 2024. Dkts. 6-7. “If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” FED. R. CIV. P. 4(m). More than 90 days have passed since Plaintiff filed his Complaint.

IT IS ORDERED that Plaintiff shall show cause in writing on or before **May 24, 2024**, as to why the claims against Defendants should not be dismissed for failure to timely effect service. Failure to do so may result in the dismissal of this action. *See* FED. R. CIV. P. 41(b) (action may be dismissed for want of prosecution or failure to comply with court order); *Larson v. Scott*, 157 F.3d 1030, 1031 (5th Cir. 1998) (district court has authority to dismiss case for want of prosecution or failure to comply with court order).

SIGNED on May 10, 2024.



SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE